

September 16, 2021

**VIA ECF**

Honorable Lorna G. Schofield  
United States District Court Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

**Re: Contant, et al. v. Bank of America Corp., et al., No. 17-cv-3139**

Dear Judge Schofield,

My firm was recently retained as local counsel to claimant AMA Capital Management, LLC (“AMA”) in the above-captioned matter. We write with regard to the letter filed by Class Counsel on September 15, 2021 [ECF 486] concerning a briefing schedule for presenting the dispute regarding AMA’s partially-accepted claim to the Court. We respectfully request that Your Honor amend Class Counsel’s proposed schedule based on the following.

Class Counsel’s letter states that “Class Counsel intend to present the dispute regarding AMA’s claim to the Court no later than September 23, 2021,” and requests that this Court follow Class Counsel’s proposed responsive briefing schedule and requirements because no such items are outlined in the terms of the Settlement Agreements in this matter. Class Counsel requests that the Court order AMA to submit its response to Class Counsel’s initial presentation “no later than September 30, 2021” and using no more than three (3) pages.

AMA instead respectfully requests that it be permitted two weeks from September 23 (instead of only one week, as Class Counsel has proposed) to respond and up to 10 pages (instead of three) for this submission. As Class Counsel stated yesterday during the parties’ call, this is a “dispute of [] complexity and magnitude.” While AMA intends to make any briefing succinct, AMA’s continued claim includes trades at approximately eight venues and the claim assessment was about seventeen pages. Providing the Court all the information necessary to evaluate the validity of the claims at each venue—including a complete and appropriate response to Class Counsel’s presentation—in only three pages will be impractical at best. Class Counsel’s suggestion that this submission should be due on September 30 in the midst of the Jewish holidays would add unnecessary additional complication and hardship during this time when AMA counsel will be unavailable.

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**HOGUET NEWMAN**  
**REGAL & KENNEY, LLP**

We thank Your Honor for its time and attention to this matter.

Respectfully submitted,



Damian R. Cavaleri

cc: All Counsel of Record (by ECF)

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